

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

**FILED**

May 15, 2025

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXASUnited States of America  
vs

DEFENDANT: Esvin Alexander TAX-Menchu

Defendant(s)BY: Adriana Quezada  
DEPUTYCase No. **EP:25-MJ- 2423 -LE****CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 12, 2025 in the county of El Paso in the  
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

Charge 1: 18 U.S.C. 1001

knowingly and willfully made a materially false, fictitious and fraudulent statement and representation to an agent of the United States Border Patrol, by stating that Esvin Alexander TAX-Menchu is a minor born on September 5, 2008, when in truth and in fact that Esvin Alexander TAX-Menchu is an adult born on September 7, 2004.

This criminal complaint is based on these facts:

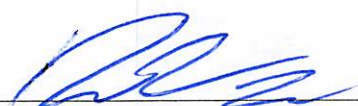
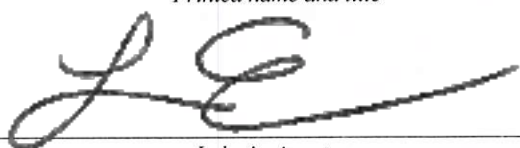
Charge #1: DEFENDANT #1 Esvin Alexander TAX-Menchu

See Attached

Continued on the attached sheet.

Complaint sworn to telephonically on  
May 15, 2025 at 01:02 PM and signed  
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**

Sworn to before me and signed in my presence.

Date: May 15, 2025City and state: El Paso, Texas  
*Complainant's signature*David R. Valles Border Patrol Agent  
*Printed name and title*  
*Judge's signature*Laura Enriquez U.S. Magistrate Judge  
*Printed name and title*

CONTINUATION OF CRIMINAL COMPLAINT  
WESTERN DISTRICT OF TEXAS

Esvin Alexander TAX-Menchu

PEPT# PEPT250501576

05/15/2025

FACTS (CONTINUED)

On May 11, 2025, Esvin Alexander TAX-Menchu herein referred to as the defendant was apprehended by Border Patrol Agents near Columbus, New Mexico. At the time of apprehension, the defendant presented himself as a juvenile with the name of Esvin Alexander TAX-Menchu and a date of birth of September 5, 2008, which made him a 16-year-old juvenile. The defendant was not in possession of any official documents. The defendant was transported to the El Paso Modular Centralized Processing Center (M-CPC) in El Paso, Texas which is in the Western District of Texas further processing.

On May 12, 2025, at approximately 9:15 am at the M-CPC a Border Patrol Agent identified himself and read, in the Spanish language, the defendant his Miranda Rights to which he signed the document indicating that he understood his rights and was willing to answer any questions without the presence of an attorney. The defendant was then warned as to the charges he would face if he lied or provided a false statement or claim. The defendant was served with "Title 18 United States Code, Section 1001" warning. At approximately 9:20 a. m., the defendant signed the form to confirm his understanding of all the elements and consequences. The defendant went on to provide the agent with written consent to review the contents of his cellular device.

The agent questioned the defendant about his date of birth, to which he claimed he was a minor born in either 2007 or 2008. The agent contacted the defendants' brother to verify his biographical information. After a brief conversation with the brother, he provided the agent with an image of the defendant's identification card via text message. The agent noticed that the defendants' date of birth was listed as September 7, 2004, and not 2007 or 2008. He also noticed that the picture on the official Guatemalan identification card matched the defendant's facial characteristics. When confronted with this information, the defendant admitted that he had been providing false information. The defendant acknowledged that his true date of birth is the one listed on his Guatemalan identification card. When asked why he was attempting to pose as a juvenile, the defendant stated he lied so he could be released into the United States and be reunited with his brother. The defendant also stated that if he was successful and was released from custody, he was planning on using the false information so he could stay in the United States for next 8 to 10 years.

Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

Immigration History:  
NONE

Criminal History:  
NONE